

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
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TAMIKO GARRIS-RIVERS,

Index No. 13-cv-9034(GBD)(RLE)

Plaintiff,

-against-

**DECLARATION IN
OPPOSITION**

THE METROPOLITAN TRANSPORTATION
AUTHORITY, THE METROPOLITAN
TRANSPORTATION AUTHORITY POLICE
DEPARTMENT, THE LONG ISLAND RAIL ROAD,
MTAPD POLICE OFFICER ELOISE BRODERICK,
MTAPD POLICE OFFICER GREG BUEHLER, MTAPD
POLICE OFFICER CHRIS MCDERMOTT, MTAPD
POLICE OFFICER JOUAN OLIVARES, MTAPD
POLICE OFFICER ROBERT RAU, MTAPD POLICE
OFFICER MATTHEW REILLY, MTAPD POLICE
OFFICER MICHAEL HAGGERTY, MTAPD POLICE
OFFICER SHEK, MTAPD POLICE OFFICER "JOHN
DOE" ALSO KNOWN AS POLICE OFFICER "WILLETT",
LIRR EMPLOYEE BENJAMIN GARDNER, and
LIRR EMPLOYEE JOHN MANCINI,

Defendants.

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S I R S :

ANDREW K. PRESTON, an attorney admitted to practice in the United States District
Court for the Southern District of New York, declares, pursuant to 28 U.S.C. §1746, under
penalty of perjury, as follows:

1. The undersigned is employed as an associate attorney in the law firm Bee Ready Fishbein
Hatter & Donovan, and represents Defendants in the above-captioned action.
2. This Declaration and accompanying memorandum of law are submitted in opposition to
Plaintiff's application for judgment as a matter of law or, alternatively, for a new trial.

As set forth more fully in the accompanying Memorandum of Law, Defendants respectfully submit that either an award of judgment as a matter of law or an award of a new trial in this action would each be inappropriate.

Dated: Mineola, New York
August 21, 2016

Respectfully yours,
**BEE READY FISHBEIN
 HATTER & DONOVAN, LLP**

By: /S/
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